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HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench : Hon'ble Shri Sunil Kumar Sinha, J.

Writ Petition (S) No. 6717/2007

Petitioner : Smt Vimlesh Mishra, W/o Late Shri Ramvishal Mishra, aged about 32 years, R/o Village + Post : Risdi, Tahsil : Korba, Distt.Korba (CG)

Versus

Respondents

1. South Eastern Coal Fields Limited, Throufh : its Chairman - Cum Managing Director, SECL Office, Seepat Road, Bilaspur Distt Bilaspur (CG)

2. General Manager, SECL Deepika Expansion Project, Gevra Area, Distt : Korba (CG)

3. Personal Manager (Admn) SECL Bilaspur, Distt. Bilaspur (CG)

4. Personal Manager, Deepika Expansion Project, Gevra Area, Distt Korba (CG)

Writ Petition under Article 226 of the Constitution of India

Present : Shri Pushpendra Patel, counsel for the petitioner.
Shri HB Agrawal, Senior Advocate with Ms Sangita Mishra, counsel for the respondents on advance copy.

ORAL ORDER

(Passed on 17th November, 2007)

This petition has been filed claiming compassionate appointment by the petitioner, whose husband died on 5th March, 1996, while he was in employment of South Eastern Coal Fields Limited. Since the petitioner has filed this petition against the

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SECL Officials, learned Senior Advocate Shri Agrawal, who usually appears for SECL and who is present in this Court is requested to appear in this case on behalf of the SECL, therefore, he appears along with Ms Sangita Mishra, on behalf of SECL to assist the Court in this Case.

Learned counsel for the petitioner argues that after death of husband of the petitioner on 5th March, 1996, she had filed an application on 9th May, 1996 (Annexure P/2) before the concerned authority for her compassionate appointment, but the said application has not been disposed of so far. Learned counsel makes a limited prayer that the petitioner may be directed to file another application before the concerned authorities of the SECL and the authorities be directed to dispose of the same within the stipulated time granted by the Court. This limited prayer made by learned counsel for the petitioner is not opposed by learned Senior Advocate, appearing for the SECL.

Accordingly, the prayer is allowed and it is directed that, if so advised, the petitioner may file a fresh application along with copy of this writ petition and a copy of this order within three weeks from today before the concerned authorities of SECL and if such an application is filed, the authorities concerned shall dispose of the same on its own merits at the earliest. It is made clear that if the earlier application filed on 9th May, 1996

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has already been decided by the authorities, then it is not required to decide the fresh application; the authorities shall only communicate the result to the petitioner.

With the above direction and observation, the petition stands disposed of.

Sd/-
Sunil Kumar Sinha
Judge

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